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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, September 26, 2001

COMMONWEALTH OF VIRGINIA, ex rel.

STATE CORPORATION COMMISSION

CASE NO. PUE000569

Ex Parte: Kentucky Utilities
Corporation d/b/a Old Dominion
Power Company; Regional
Transmission Entities

ORDER GRANTING MOTION FOR TEMPORARY
SUSPENSION OF PROCEDURAL SCHEDULE

On September 20, 2001, the Staff of the State Corporation Commission ("Commission") filed with the Commission a Motion for Temporary Suspension of Procedural Schedule in the above-captioned matter. In this matter, Kentucky Utilities Company d/b/a Old Dominion Power Company ("ODP" or the "Company") applied for authorization to transfer the operational control of its transmission assets to the Midwest Independent System Operator ("MISO") pursuant to the Virginia Electric Utility Restructuring Act (the "Restructuring Act"), Chapter 23 (§ 56-576 et seq.) of Title 56 of the Code of Virginia and Regulations Governing Transfer of Transmission Assets to Regional Transmission Entities, 20 VAC 5-320-10 et seq. (the "RTE Rules").

On May 31, 2001, the Commission had issued an Order Prescribing Notice and Inviting Comments and/or Requests

establishing the procedural schedule and requiring Staff to review the application and detail the results of its investigation in a Staff Report to be filed on or before August 31, 2001. In its motion, Staff states that it was unable to complete its review in time to meet this deadline. Staff asserts that ODP's facilities in the Commonwealth are transmission assets, the transfer of which requires the Commission's approval pursuant to the Restructuring Act and the RTE Rules, and that the Company's request for exemption of the requirements of the Restructuring Act and RTE Rules is inappropriate. In evaluating ODP's transfer of control to the MISO, Staff notes that there are issues outstanding regarding the formation, structure, governance, and implementation of the MISO, and that further action by the Federal Energy Regulatory Commission ("FERC") is anticipated. Staff requests more time to investigate the application and consider the impact of the outstanding issues. Staff states that ODP does not object to a temporary suspension of the procedural schedule.

NOW THE COMMISSION, having considered Staff's motion and being advised that no interested party has objections to the relief requested therein, is of the opinion of, and finds that, the motion should be granted and the procedural schedule in this matter should be temporarily suspended. We believe that recent FERC filings and forthcoming FERC decisions will impact certain

issues, such as transmission rates, energy imbalance, and congestion management, which remain unresolved at this time. Suspending the procedural schedule on a temporary basis will allow time for the further development of the outstanding issues and for a more full determination of ODP's application for the transfer of operational control of its transmission assets to the MISO.

Accordingly, IT IS ORDERED THAT:

(1) Staff's Motion for Temporary Suspension of Procedural Schedule is hereby granted.

(2) The procedural schedule established by our May 31, 2001, Order is hereby suspended until further order of the Commission.